

**EXHIBIT J**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

MONTVALE SURGICAL CENTER, LLC  
a/s/o D.C.; IN-BALANCE HEALTH, LLC  
a/s/o D.C.; and HEALTH SWITCH, LLC a/s/o  
D.C.,

Plaintiffs,

v.

HORIZON BLUE CROSS BLUE SHIELD OF  
NJ; ABC CORP. 1-10 (said names being  
fictitious and unknown entities),

Defendants.

CIVIL ACTION NO.: 12-3995

**CERTIFICATION OF CATHERINE BENITEZ IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT**

I, Catherine Benitez, of full age hereby certifies as follows:

1. I am currently employed by Horizon Blue Cross Blue Shield of New Jersey ("Horizon") as a Litigation Liaison Coordinator.
  
2. The statements below are based upon my personal knowledge and expertise gained through my employment with Horizon. This certification is offered to certify facts in support of Horizon's Motion for Summary Judgment.

3. In the ordinary course of business, Horizon maintains a database containing appeals and supporting appeals documentation which were filed by or on behalf of Horizon members.

4. The claims at issue in this litigation were for services rendered to Horizon member D.C. on or about March 30, 2010 through April 1, 2010. The services at issue were "manipulations under anesthesia."

5. Horizon's records indicate that on or about July 23, 2010, Precision Billing submitted an appeal on behalf of Plaintiff In-Balance Health for services rendered to Horizon member D.C. at Montvale Surgical Center on or about March 30, 2010 through April 1, 2010. (Attached to the Motion for Summary Judgment as Exhibit "C" is a true and accurate copy of the July 23, 2010 appeal).

6. Horizon responded to this appeal on or about November 16, 2010 upholding its original benefit determination. (Attached to the Motion for Summary Judgment as Exhibit "D" is a true and accurate copy of Horizon's response to the July 23, 2010 appeal).

7. Horizon's records indicated that on or about January 26, 2011, Precision Billing submitted an appeal on behalf of Plaintiff Health Switch for services rendered to Horizon member D.C. at Montvale Surgical Center on or about March 30, 2010 through April 1, 2010. (Attached to the Motion for Summary Judgment as Exhibit "E" is a true and accurate copy of the January 26, 2011 appeal).

9. Horizon responded to this appeal on or about June 8, 2011 upholding its original benefit determination. (Attached to the Motion for Summary Judgment as Exhibit "F" is a true and accurate copy of Horizon's response to the January 26, 2011 appeal).

10. Horizon does not have any additional appeals on file made by or on behalf of the member or any of the Plaintiffs for services rendered to Horizon member D.C. on or about March 30, 2010 through April 1, 2010.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



Catherine Benitez

DATED: December 19, 2012